IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT WASHINGTON,)
Plaintiff,	Civil Action No. 18-1440
v. SUPERINTENDENT LINK, SUPERINTENDENT GILMORE, TRACY SHAWLEY and, KERI MOORE,	District Judge Nora Barry Fischer Magistrate Judge Maureen P. Kelly District Judge Nora Barry Fischer Magistrate Judge Maureen P. Kelly
Defendants.)

MEMORANDUM ORDER

This matter comes before the Court on *pro se* Plaintiff Robert Washington's Objections (Docket No. 3) to the Report & Recommendation ("R&R") of Magistrate Judge Maureen P. Kelly entered on October 31, 2018. (Docket No. 2). The R&R recommends denying Plaintiff's motion for leave to proceed in forma pauperis (Docket No. 1) as he has accrued three strikes and has not alleged an imminent risk of serious physical injury. Service of the R&R was made on Plaintiff by mail and he was informed that any objections to same were due by November 19, 2018.

On November 13, 2018, the Court received Plaintiff's "Objections to Report and Recommendation of the Magistrate Judge's Decision Dated 10/31/2018 Pursuant to Act 28 U.S.C. 636(g)(1)," in which Plaintiff argues that he has not accumulated three strikes along with another Motion to Proceed In Forma Pauperis. (Docket Nos. 3, 4). In resolving a party's objections, the Court conducts a *de novo* review of any part of the R&R to which objections have been properly lodged. Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The Court may accept, reject, or modify the recommended disposition, as well as receive further evidence or return the matter to the magistrate judge with instructions. *Id.* Upon careful *de novo* review of the Motion for In Forma

Pauperis, the R&R and Plaintiff's Objections, the Court concludes that the Objections do not

undermine the R&R's recommended disposition. Accordingly, the Court enters the following

Order:

AND NOW, this 14th day of November, 2018,

IT IS HEREBY ORDERED that Plaintiff's Objections to the R&R (Docket No. 3) are

OVERRULED, and the R&R (Docket No. 2) is ADOPTED as the Opinion of the Court;

IT IS FURTHER ORDERED that Plaintiff's Motions for In Forma Pauperis (Docket Nos.

1 and 4) are DENIED for the reasons set forth in the R&R;

IT IS FURTHER ORDERED that Plaintiff shall pay the filling fee within 30 days of this

Order, or by **December 14, 2018**; and,

FINALLY, IT IS ORDERED that if Plaintiff fails to timely pay the filing fee as directed,

the Clerk of Court shall mark this case CLOSED.

/s/ Nora Barry Fischer

Nora Barry Fischer

United States District Judge

cc: Robert Washington

GJ 2069

SCI Greene

175 Progress Dr.

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